



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

**Family Investment Administration
ACTION TRANSMITTAL**

Control Number: 14-05

Effective Date: Immediately

Issuance Date: October 28, 2013

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF**

FROM: ROSEMARY MALONE, EXECUTIVE DIRECTOR

**RE: PUBLIC ASSISTANCE TO ADULTS DISABILITY CERTIFICATION
FORM (4350) (REPLACES AT #12-33)**

PROGRAM AFFECTED: PUBLIC ASSISTANCE TO ADULTS (PAA) PROGRAM

ORIGINATING OFFICE: OFFICE OF PROGRAMS

SUMMARY

Recent growth in the number of recipients of Public Assistance to Adults (PAA), Assisted Living has come to our attention. Research shows some demographic changes occurred in past few years and we think it is appropriate to clarify some of the eligibility criteria in this revised Action Transmittal. For those unfamiliar with PAA, it is a state funded program designed to assist vulnerable adults who are pending placement or reside in protective living arrangements. We note that PAA-Assisted Living placements are made for persons who are aged, disabled, or both.

A technical factor for PAA eligibility that differs from other cash assistance programs is a verified need for a **Protected Living Arrangement**. The Family Investment Administration's Public Assistance Disability Certification form (DHR/FIA 4350) captures information needed to determine eligibility. Case managers must use this form to confirm the need for placement in a licensed PAA facility, medical documentation when required and information about the authorized representative payee, if applicable.

There are three types of PAA facilities:

- CARE Homes provide an alternative to institutional care for disabled adults.
- DHMH Rehabilitative Residences are supervised apartments for disabled adults who have been discharged from State psychiatric hospitals.
- Assisted Living means care given to an aged or disabled individual in a licensed protective environment.

ACTION REQUIRED:

The Family Investment Administration revised the PAA Disability Certification (DHR/FIA 4350) form, attached, to include guidance and clarifying language for each section of the form as outlined below:

- **Introduction (new):** *“Public Assistance to Adults is a monthly payment of state funds to an individual who has been certified for a licensed assisted living program, a CARE home, or a Department of Health and Mental Hygiene (DHMH) rehabilitative residence.”*
- **Section I** – Although Section I remains unchanged, use the following guidance if the applicant needs a Representative Payee. According to the (COMAR 07.03.07.09C), protective payments can be made to a representative payee on behalf of a recipient who is found to be unable to handle his or her funds. The representative payee is defined as a **“responsible and dependable individual to receive the benefit amount on behalf of a recipient and will handle the benefit in the best interests of the recipient’s well being.”**

Keep in mind that Representative Payees and Authorized Representatives are not the same. An **“Authorized Representative”** is defined as; “an individual who has been designated in writing by the applicant or recipient to act on behalf of the applicant or recipient” (COMAR 07.03.01.02). While the definition of an Authorized Representative in the general public assistance COMAR is broad and it does not specifically include the handling of money/benefits, PAA COMAR at .09B specifically identifies the representative payee or court appointed payees as the only parties other than the PAA recipient authorized to handle funds.

Additionally, COMAR 07.03.07.09D prohibits the assisted living provider, or any entity that deals with the applicant/recipient for profit, from acting as a representative payee. That includes receiving and handling money/benefits prior to payments made to the facility or vendor.

- **Section II** – We modified this section to include rehabilitative residence or CARE Home certification. The form was also modified to include information on the agency that approved the placement.
- **Section III** –This section must be completed for all assisted living applicants/recipients. This section also may be used for CARE Home and Rehabilitative Residence applicants when medical documentation of need is not available. Please note that Section III is not necessary for these two types of PAA when the DHR Social Services Administration or the DHMH vendor, respectively, approves the placement. Value Options is the current DHMH vendor for evaluation of Rehabilitative Residence placements.

Other changes to **Section III** include:

- The question “Is a Protective Living Arrangement necessary?” now is answered in Section III. When the response to this question is “Yes,” the justification for a protective living arrangement must be completed.
- Note the change from “Physician’s Name” to now include “Name of Licensed Professional OR Physician.” The following health providers are authorized to complete the DHR/FIA 4350 form:
 - Medical doctors, Certified Registered Nurse Practitioners (CRNP) and Physician’s Assistants (PA), or
 - Psychologists, licensed clinical social workers (LCSW) or licensed therapists.
- **Section IV** – As noted above FIA added a required area where the licensed professional or physician writes the justification for his or her determination that a protective living arrangement is necessary.

Case managers *must* review the signature section of the Form and the Protective Living Arrangements section to ensure that a valid license number is provided and a Protective Living Arrangement is necessary. When a protective living arrangement is NOT necessary, the customer/recipient is **ineligible** for PAA. Case managers must provide cash assistance applicants all options, including both PAA and the Temporary Disability Assistance Program (TDAP), in order for customers to make an informed choice about their application. TDAP is an appropriate program for low income individuals with a disability or impairment who do not require a protective living arrangement.

INQUIRIES: Please direct PAA policy questions to Stephanie Bartee, 410-767-8121 or Stephanie.bartee@maryland.gov.

Attachment:

Public Assistance to Adults Disability Certification Form (DHR/FIA 4350)

c: DHR Executive Staff
FIA Management Staff
Constituent Services
DHR Help Desk
OIG